

Chapter 221: ADULT EDUCATION ADMINISTRATIVE COST REIMBURSEMENT

SUMMARY: This rule specifies the elements of adult education administrative costs for which school administrative units, regions and centers may claim reimbursement.

1. Definitions

- A. “Administrative salaries” means the salaries and fringe benefits of Administrators~~;~~ and Directors of all adult education courses so long as at least one basic literacy, high school completion or college transition course is offered, and of GED Examiners and GED proctors.
- B. “Supervisory salaries” means the salaries and fringe benefits of counselors, recruiters, section or unit heads of all adult education courses so long as at least one basic literacy, high school completion or college transition course is offered.
- C. “Clerical salaries” means the salaries and fringe benefits of all personnel involved in clerical activities that support adult education courses so long as at least one basic literacy, high school completion or college transition course is offered.
- D. “Educational Functioning Levels” means the levels at which a learner is placed, based on the learner’s ability to perform literacy-related tasks in specific content areas on State-approved standardized assessments.
- E. “Citizens’ advisory committee costs” means expenditures for:
 - (1) Travel for committee members excluding travel to committee meetings;
 - (2) Salary for clerical personnel excluding committee members;
 - (3) Supplies used in the operation of committee meetings; and
 - (4) Staff development activities for committee members.
- F. “State-approved data collection system costs” means the costs of training and technical assistance for a unit’s, region’s or center’s State-approved data collection system.
- G. “State assessment (non-GED) costs” means the costs of tests required under State assessment policy.

2. Prior Approval

- A. **Citizens’ Advisory Committee Costs**

Expenditures in excess of \$1000 in any fiscal year require prior approval from the Department of Education.

STATUTORY AUTHORITY: Title 20, M.R.S.A., Chapter 308-A, Sections 2386 and 2390 effective August 30, 1979; Title 20-A MRSA §8602

EFFECTIVE DATE:

June 21, 1979 (EMERGENCY)

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Chapter 222:**ADULT CAREER AND TECHNICAL EDUCATION, AND
WORKFORCE TRAINING AND RE-TRAINING, COST
REIMBURSEMENT**

SUMMARY: This rule specifies the elements of adult career and technical education, and adult workforce training and re-training, costs for which school administrative units, regions and centers may claim reimbursement.

1. Conditions for Reimbursement

- A. Adult career and technical education must meet the requirements below.
 - 1. The organized educational activities must offer a sequence of courses that:
 - a. provides individuals with coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in current or emerging professions;
 - b. provides technical skill proficiency, an industry-recognized credential, a certificate, or an associate degree; and
 - c. may include prerequisite courses (other than a remedial course) that meet the requirements set forth in this subsection.
 - 2. The organized educational activities must include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem--solving skills, work attitudes, general employability skills, technical skills and occupation-specific skills, and knowledge of all aspects of an industry, including entrepreneurship, of an individual.
 - 3. Instructional supplies used in adult career and technical education courses and for which reimbursement may be claimed means those supplies that fulfill the purpose of a specific instructional program and, during the teaching process, are actually consumed or worn out through use, or lose their identity through fabrication or incorporation into different or more complete units or substances. Instructional supplies do not include those items that result in a product or service for the student for which lab or materials fees may be assessed, or those items that result in a product or service for the school administrative unit, region or center. (Lab or materials fees should be assessed to cover activities resulting in a product or service for the student.)
 - 4. School administrative units, regions and centers providing adult career and technical education programming and claiming reimbursement in accordance with 20-A MRSA, Chapter 315 must do so in a manner that will support existing co-operative regional arrangements for the delivery of adult career and technical education offerings.

B. Adult workforce training and re-training courses must serve learners in one or more of the following categories.

1. Preparatory adult learners are adults learning new skills in preparation for employment in a job or occupation that is new to them. These students must be enrolled in a planned personal program leading to progressive skill development for entry into the selected occupation.
2. Supplemental learners are adults pursuing courses or activities related to current full-time or part-time employment or wage earning activities. The usefulness of the course to the employment or wage earning activities must be clear and applicable.
3. Certificate learners are adults participating in a sequence of courses that provide individuals with the academic and technical knowledge and skills that individuals need to prepare for further education and careers in current or emerging employment sectors.

2. Reports

All programs applying for reimbursement of adult career and technical education or adult workforce training and re-training costs must file reports as required either by federal and state agencies or under 20-A MRSA, Chapter 315.

STATUTORY AUTHORITY: Title 20, M.R.S.A., Chapter 308-A, Section 2386 and Section 2390;
20-A MRSA §8602

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Note: Chapter 223 & Chapter 224 – Repealed 2008

05-071 DEPARTMENT OF EDUCATION

Chapter 225: HIGH SCHOOL COMPLETION

(Scheduled for review and revision 2008 – 2009)

1. Definitions

A. Adult High School Diploma Programs are secondary educational offerings leading to a high school diploma under the auspices of the local school department, approved by the State Department of Education according to procedures outlined in Section 2 of this Chapter, and operated in accordance with the provisions of Sections 2 and 3 of this Chapter. One component of the High School Diploma Program is the External Credit Option (ECO) defined as being individually planned and supervised by an instructor with mandatory student completion of related assignments; student completion of initial, periodic, and final testing; and a minimum of five student-teacher contacts.

B. A General Educational Development (GED) Program is authorized to test for and issue high school equivalency certificates to residents of Maine who meet the requirements set forth below. GED tests will be administered in accordance with Examiner's Manual, Tests of General Educational Development, GED Testing Service of the American Council on Education. The standards for issuance of high school equivalency certificates are set forth in section 4.

1. Issue. The Commissioner shall issue high school equivalency certificates to residents of the State who:

a. Are at least 18 years of age;

b. Are 17 years of age and have:

(1) a documented, immediate need; and

(2) written approval from the local superintendent or his designee;

2. Have not been in attendance for one year or more at a public school or a private school approved by a state department or accredited by a regional association of colleges and secondary schools; or

3. Have completed a formal training program as set forth in section 4(A)(2) which has been approved by the commissioner; and

4. Demonstrate through procedures prescribed by the Commissioner that they have attained a general educational development comparable to that of secondary school graduates.

The Commissioner shall issue the certificates required by this subsection upon completion of the requirements of this subsection or as soon thereafter as accessible.

1. Certificate status. Certificates shall have the legal status of high school diplomas.

2. Fees. The Commissioner may charge a fee sufficient to defray operating costs for a certificate. An honorably discharged or released veteran of the Armed Forces of the United States or a person judged by the Commissioner to be economically disadvantaged shall be exempt from payment of a fee. That fee shall be paid from the income of the Permanent School Fund.

2. Adult High School Diploma Guidelines

A. Local Education Agencies (LEA's) seeking approval to issue high school diplomas to adults and out-of-school youth will be required to submit a Diploma Program Plan in accordance with the following criteria prior to receiving approval. This Diploma Program Plan will be reviewed every five years in conjunction with the LEA's Adult Education Program Review. The Diploma Program Plan will include:

1. a statement of program philosophy approved by the local Board of School Directors or LEA governing body;
2. policies approved by the local Board of School Directors specifying total number of credits required, required subjects, and eligibility requirements;
3. a description of the grandfathering process used locally to address the number of credits required of persons born prior to October 15, 1970 if differentiation is made locally;
4. a description of the process used by the LEA to determine competency of diploma teachers deemed qualified to teach adults;
5. a description specifically addressing efforts to provide students with experiences in the areas of Fine Arts, Computer, Health, Consumer Economics, and Career Exploration/Personal Development; the nine required credits; utilization of the External Credit Option; counseling services; and records maintained;
6. a description of the local process for testing out;
7. a description of the process developed locally to determine the awarding of credits based on out-of-school experiences.

The DE shall approve Adult Education Diploma Programs based on plans which meet their criteria.

B. The course of study for adult students leading to a high school diploma is to include a minimum of sixteen (16) credits, such credits to include the following:

English: Four (4) credits in English to include reading comprehension; appreciation of literature; writing; listening and oral communication skills; the structure and uses of the English language; and research and

reporting skills;

Social Studies: Two (2) credits in social studies, one(1) credit of which will be a comprehensive course in American History which includes instruction in government, the importance of voting, the privileges and responsibilities of citizenship, the Constitution of the United States and the Declaration of Independence; and one (1) credit which may include instruction in economics, geography, political science, history, government, sociology, anthropology, psychology, or career exploration/ personal development;

Mathematics: Two (2) credits in mathematics which shall include addition, subtraction, multiplication, and division of whole numbers; fractions; decimals; percents; simple equations and formulas; measurement; ratios and proportions; graphing; and basic geometry concepts. Students demonstrating proficiency in these basic math skills may substitute Recordkeeping/Accounting for one math credit;

Science: One(1) credit in science instruction shall be required with laboratory study recommended.

Every effort should be made to provide students with experiences in the areas of Fine Arts, Computer, Health, Consumer Economics, and Career Exploration/Personal Development as their educational plans are being developed.

Of these sixteen (16) credits, a maximum of six (6) may be awarded for out-of-school experiences. For each credit required locally in excess of sixteen(16), an LEA may authorize one additional credit to be awarded through out-of-school experiences.

Persons enrolled in a Maine Adult Education Diploma Program prior to July 1, 1988, may graduate under the subject requirements in that Adult Education Diploma Program as they existed immediately prior to July 1, 1988. All students who first enroll in a Maine Adult Education Diploma Program after July 1, 1988 must meet the subject requirements of this subsection. Persons transferring from a Maine Adult Education Diploma Program in which they were enrolled prior to July 1, 1988, to another Adult Education Diploma Program within Maine shall maintain their "previously enrolled status.

C. Teachers are deemed qualified to teach adults either by holding current State of Maine teaching certificates or by demonstrated competency as determined by LEA developed criteria. This subsection may be superseded by rules adopted by the State Board of Education pursuant to 20-A MRSA Chapter 502, Certification of Education Personnel.

D. The adult student's individual program must be planned by the director or the director's designee as duly authorized LEA officials. Each person in a High School Diploma Program will have counseling services available. Student records must be maintained and will include the following:

1. a written description of the student's goals and objectives and the procedure by which the student plans to attain his/ her goals.

2. academic records including any previous transcript;

3. documentation for credits received through work experience, testing out of courses, apprenticeship programs, volunteer programs, and any other information pertaining to the awarding of credits.

E. Each student will complete a minimum of forty-five (45) instructional hours for each credit pursued in the Adult Education Diploma Program with the exception of credits pursued through the External Credit Option.

F. Each course offered for credit will have a curriculum on file outlining minimum competencies as determined by the local education agency.

G. Each student's progress will be evaluated during and at the end of each course.

H. Credits based on participation in secondary school, business school, trade school or other educational programs approved locally may be accepted or awarded upon receipt and evaluation of transcripts or certificates.

I. No person will be awarded a high school diploma unless he/she has earned a minimum of one (1) credit through participation in a classroom or ECO learning experience offered by a Maine adult education program.

J. Provided "I" is met, students may be allowed to test out in a maximum of four (4) required and/or elective courses in which they feel competent.

K. Provided "I" is met, a maximum of six(6) credits may be awarded from the following out-of-school experiences. For each credit required locally in excess of sixteen (16), an LEA may authorize awarding one

(1) additional credit from the list below in accordance with locally developed criteria:

1. a maximum of two(2) credits from Correspondence Schools;

2. completion of a Maine State Apprenticeship Council approved apprenticeship program, the maximum number of credits to be established locally;

3. one (1) credit may be awarded for military service of not less than two (2) successive years resulting in an honorable discharge or separation; the military experience criterion also covers candidates who have spent a minimum of six (6) years in the National Guard or in the Reserves and who hold an honorable discharge;

4. one (1) credit may be awarded for three (3) consecutive years of work experience in no more than one occupation and two (2) credits for work experience of five (5) years or more in length in no

more than two (2) occupations; military experience in excess of the criterion established in number three (3) above may be considered as work experience and may pertain to persons currently on active duty who are in good standing; homemaking experience based on independent living skills may be substituted for paid work experience using the work experience criterion; the maximum number of credits will be established locally;

5. one (1) credit may be awarded a person participating in a forty-five (45) hour volunteer work activity planned and supervised by the director or the director's designee; maximum number of credits will be established locally;

6. credit may be earned by a student through independent study; maximum number of credits will be established locally;

7. career exploration is a concept which allows diploma candidates to earn one (1) credit based on forty-five hours of observation/practicum experience in business, industry, institutions or agencies, maximum number of credits will be established locally.

3. External Credit Option

A. Local Educational Agencies (LEAs) in recognition of the scheduling hardships encountered by students 18 years of age or older relating to problems of time, costs, distance, or lack of child care, may seek authorization to become approved sites for the delivery of the External Credit Option. Conditions for site approval are as follows:

1. Each LEA must have in existence a State approved High School Diploma Program;

2. Each LEA must participate in a training session relating to the ECO process prior to site approval;

3. Each LEA must submit to the Division of Adult and Community Education an application for ECO approval; the form for this application is available through the Division of Adult and Community Education; notification of action taken will be made within 60 days of submittal. Items to be detailed are as follows:

a. State of need

b. Staff pre-service plan

c. Assurance that the Director and identified ECO staff have participated in an approved training session; for this purpose, approved is construed to

mean offered through or approved by the Adult Education Staff Development Project; Directors without prior ECO training subsequent to initial site approval must attend an approved training session; a trained Director may provide in-house training to replacement staff after initial site approval

d. Curriculums to be adopted, adapted, or developed

e. Counseling, Testing, Reading Evaluation and Placement Plan

f. Sample student recordkeeping forms

g. Must agree to submit one-year follow-up plan to the Division of Adult & Community Education

4. Student eligibility for ECO will be:

a. minimum of 18 years of age and not enrolled in a public or private day school;

b. minimum of sixth grade reading level;

c. ability to work as a self-directed learner.

5. Student recordkeeping will include:

a. completion of the Personal Educational Plan by Director/Counselor with student and instructor input and periodic follow-up;

b. completion of the Curriculum Record Sheet detailing course activity and periodic follow-up;

c. student completion of course activity sheets for each credit with progress notation by both student and teacher.

6. Guidelines for adopting existing curricula and/or development of new curricula are as follows:

a. each curriculum will be based upon an anticipated range of student completion time of 45-60 clock hours;

b. a component of each curriculum will be a written statement of specific course goals, instructional objectives, materials, estimated completion time, and evaluation methods;

c. a second curriculum component will be a series of planned "learning experiences" which are specific experiences undertaken by the student during each credit course;

d. each student will receive blank activity sheets to record completion of assignments, time, and progress notation by both student and teacher;

e. a minimum of five student/teacher contacts will be required for each course credit;

f. designation of suggested time frame for completion of each credit is part of the Personal Educational Plan.

4. GED Guidelines

A. Requirements for issuance of diploma (High School Equivalency):

1. Minimum test scores: A standard score of ~~35~~ **[40]*** on each of the five tests and an average standard score of 45 on all five tests.

2. Minimum age: Must meet provisions of Title 20-A MRSA Section 257. A formal training program approved by the Commissioner is defined as:

a. A GED preparation course

b. A regular high school diploma course

c. Satisfactory results on the GED practice test

3. Fees

: [No fee may be charged a resident of the State of Maine- Title 20-A section 257]**

~~The \$20 fee or evidence of waiver must be presented before any testing is started.~~

~~The Commissioner judges that individuals who meet the following criterion will have these fees waived and those fees will be paid from the Permanent School Fund.~~

~~a. An honorably discharged veteran (with DD-214)~~

~~b. Meeting income guidelines to qualify for any Federal or State program of assistance as: AFDC, Food Stamps, Medicaid, Unemployment, Job Corp, Social Security, Incarcerated, and JTPA.~~
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B. Records: The local testing center will be responsible to maintain and send to the State GED Office the following:

a. Permanent record cards (including failures and incompletes)

b. Fees or waivers (Waiver evidence must

be kept on file locally)

c. These should be forwarded to the State GED Office within 30 days from the start of testing (record cards)

C. Requirements for retesting are to be decided upon on an individual basis.

STATUTORY AUTHORITY: Title 20-A MRSA Sections 257 and 8602

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*** Minimum passing scores for the GED tests were increased by the GED Testing Service (American Council on Education) in 1997**

****Bold notations and strikethroughs are not actual rule changes, but reflect procedural changes that statutes or other governing regulation have necessitated. Rules will need to be updated. – Andrew McMahan**

Note: Chapter 226, Chapter 227, & Chapter 228 – Repealed 2008

Chapter 229: ADULT EDUCATION FEES

SUMMARY: This rule provides guidance in the collection and utilization of fees in adult education programs.

1. Registration Fees

Registration fees may not be charged for general adult education participation but may be charged for specific course participation.

- A. No registration fees shall be charged to students qualifying for and participating in the following adult education courses:
 - 1. Basic literacy instruction, including English as a Second Language;
 - 2. Courses for students with disabilities, basic literacy instruction including English as a Second Language, and high school completion courses for adult learners with disabilities; and
 - 3. High school completion courses.
- B. Registration fees may be charged to students participating in:
 - 1. Career and technical courses, and workforce training and re-training courses, that are not part of a student's predetermined high school completion program; and
 - 2. Enrichment courses.

2. Lab and Materials Fees

Fees may be charged to all persons in all adult education courses except lab and materials fees may not be charged for those students qualifying for and participating in federally funded basic literacy instruction, including English as a Second Language, courses for students with disabilities, and high school completion programs. Unless otherwise waived under Section 3 of this rule, if lab and materials fees are charged they must be charged to all participants in the course.

3. Fee Waivers

The use of local waivers or scholarships, from fees collected locally, may be utilized for providing financial aid to those in need.

4. Fee Utilization

- A. Fees collected from the operation of adult education programs shall be utilized to

defray the cost of non-subsidizable expenditures incurred in the conduct of such programs, except that:

1. Fees that are used in support of subsidizable activities must be subtracted from the amount requested for subsidy;
2. Fees may not be utilized as part of the local share; and
3. Fees collected from the operation of enrichment courses and other non-subsidizable activities must be accounted for under separate and appropriate account codes that are distinct from accounts for subsidizable adult education courses.

5. Alternate Education

Alternate Education revenues collected through adult education for alternate education programming, as reported on the EF-M-39, must be subtracted from expenditures prior to calculating reimbursement for State adult education subsidy on the EF-X-132.

STATUTORY AUTHORITY: M.R.S.A. Title 20, Chapter 308, Section 2388; 20-A MRSA §§ 8601-8609

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Chapter 230: ADULT EDUCATION PROGRAM REQUIREMENTS

SUMMARY: This rule sets forth general adult education program requirements.

1. Requirements and Waivers for Students Enrolled in Day School or Under Age 17

Students who are either enrolled in a regular day school or are under the age of 17 may enroll in adult education courses under the following conditions:

- A. There must be agreement among the student, the Adult Education Director, the parent(s) or legal guardian of the student, the Individualized Education Program Team if the student is eligible for services under the federal Individuals with Disabilities Act (IDEA), the Superintendent, the High School Principal, and the local school board of the school administrative unit in which is located the legal residence of the student's parent(s) or legal guardian that enrollment in an adult education program is an appropriate option for the student.
- B. That agreement must be committed to writing, and kept on file in the student's permanent file.
- C. The criteria for enrollment in adult education courses set forth in Section 1, above are waived for students participating in enrichment courses that are not being taken for credit who are participating in those courses with their parent(s) or guardian. Participation of parent(s) may be waived by the local adult education director, if appropriate.

2. Course Outlines

At a minimum, a current course outline must be on file and available for review in the local adult education administrative office for each course offered by that local adult education program. In addition, a curriculum must be on file and available for review in the local adult education administrative office for every high school completion course offered by that local adult education program.

3. Teacher Requirements

Instructional staff must be certified or authorized to teach the adult education courses offered where certification or authorization is required, or, where certification or authorization is not required, must be determined competent to teach in accordance with criteria established by the school administrative unit, region or center.

STATUTORY AUTHORITY: M.R.S.A. Title 20, Chapter 230, Section 2384, Subpart 1; 20-A MRSA §§ 8601-8609.

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Note: Chapter 231 – Repealed 2008